

**Fiscal Services Division**  
**Legislative Services Agency**  
**Fiscal Note**

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HF 2398 - Hit & Run Penalties (LSB 6033 HV)

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Fiscal Note Version - New

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**Description**

House File 2398 relates to criminal penalties for a driver convicted of failure to stop and render aid at the scene of a motor vehicle accident. The Bill provides that if the accident results in serious injury, the driver who fails to stop commits an aggravated misdemeanor. If the accident results in the death of a person, the penalty is a Class D felony.

**Assumptions**

1. In FY 2005, there were 83 convictions for failure to stop and render aid at the scene of a motor vehicle accident that were classified as serious misdemeanors and six that were aggravated misdemeanors. Under HF 2398, the six aggravated misdemeanors would be classified as Class D felonies. The percentage of serious misdemeanors which now would become aggravated misdemeanors cannot be determined at this time.
2. The average State costs for one Class D felony conviction ranges from \$3,100 (court costs, probation, and indigent defense) to \$12,100 (court costs, jury trial, indigent defense, prison and parole). The maximum cost will be incurred across multiple years while the offender is supervised in the correctional system, either in prison or in the community. The increased costs from an aggravated misdemeanor to a Class D felony would range from \$1,500 in additional costs on the low end to \$6,000 in additional costs on the high end.
3. The average State costs for one aggravated misdemeanor conviction ranges from \$1,600 (court costs and probation) to \$6,100 (court costs, jury trial, indigent defense, prison and parole). The maximum costs will be incurred across multiple years while the offender is supervised in the correctional system, either in prison or in the community. The increased costs from a serious to an aggravated misdemeanor would range from \$1,500 in additional costs on the low end to \$2,100 in additional costs on the high end.

**Correctional Impact**

Based on the Class D felony, no significant correctional impact is anticipated as the population increase at five years would be less than ten people.

**Fiscal Impact**

The fiscal impact is anticipated to be under \$100,000.

**Sources**

Department of Human Rights, Criminal and Juvenile Justice Planning Division (CJJPD)  
Judicial Branch  
Indigent Defense

/s/ Holly M. Lyons

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The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.

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